

FILED

UNITED STATES DISTRICT COURT APR 12 2019

for the

Southern District of Texas

David J. Bradley, Clerk

United States of America

v.

Juan Malagon ZAPATA
Y.O.B: 1993 Citizenship: Mexico

Case No.

M-19-0818-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 11, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC § 952
21 USC § 841

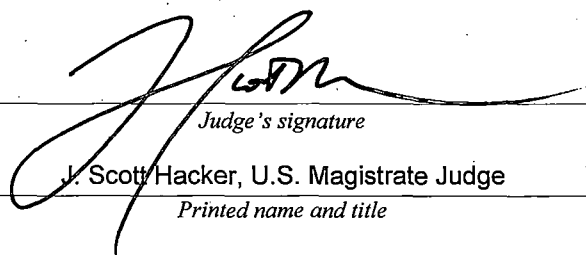
Knowingly and intentionally import into the United States from the United Mexican States approximately 9.84 kilograms of cocaine, a Schedule II controlled substance, and did knowingly and intentionally possess with the intent to distribute approximately 9.84 kilograms of cocaine, a Schedule II controlled substance.

This criminal complaint is based on these facts:

See "Attachment A"

☒ Continued on the attached sheet.Approved by Scott V. Greenbaum AUSA
Scott V. Greenbaum 4/12/19
Complainant's signatureJohn Reinosa, HSI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 04/12/2019City and state: McAllen, Texas
Judge's signature
J. Scott Hacker, U.S. Magistrate Judge
Printed name and title

Attachment "A"

On April 11, 2019, a vehicle driven by Juan MALGON-Zapata, a Mexican national B2 visa holder, attempted entry at the Hidalgo Port of Entry in Hidalgo, Texas in a 2002 Ford Sports Trac truck. MALGON-Zapata arrived at primary inspection where Customs and Border Protection Officer (CBPO) A. Lopez asked MALGON-Zapata where he was going. MALGON-Zapata told Lopez he was going shopping to buy clothes as a graduation gift and that he was going to stay in McAllen in three days. MALGON-Zapata told Lopez he owned the vehicle for approximately 3 years. MALGON-Zapata was escorted to post primary inspection. During post primary inspection by CBPO M. Godoy, MALGON-Zapata claimed ownership of the vehicle and told Godoy that he was going to McAllen to go shopping in McAllen.

CBPO G. Hernandez and Narcotics Detection Dog (NDD) "Zaga" conducted an inspection of the vehicle. NDD "Zaga" alerted to truck. CBPOs ran the vehicle through the Z-portal X-ray machine and was found to have anomalies in the rear section of the cab of the truck as inspected by CBPO B. Gomez. Further physical inspection revealed a total of 16 packages concealed in the vehicle. The 16 packages weighed approximately 9.84 kilograms and field tested positive for properties of cocaine.

Homeland Security Investigations (HSI) Special Agents (SAs) and Customs and Border Protection Task Force Officers (CBP TFO) were advised of the situation. HSI SA's and a CBP TFO responded to the Hidalgo Port of Entry to interview MALGON-Zapata.

During the custodial interview, MALGON-Zapata told HSI SAs and CBO TFO that he was aware he had narcotics in his vehicle. MALGON-Zapata told investigators that this was approximately his 5th trip transporting narcotics from Mexico into the United

States. MALGON-Zapata said he was going to be paid \$5,600 for this trip. MALGON-Zapata said he was paid \$5,000 USD, \$7,000 USD, \$7,000 USD, and \$7,000 USD for his previous trips for a total of \$26,000 USD.